



FILED
SUPERIOR COURT
THURSTON COUNTY, WA

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Linda Myhre Enlow
Thurston County Clerk

Superior Court of Washington, County of Thurston

In re:

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

Nicole Wuergler

And Respondent/s (other party/parties):

Robert Orr Jr

No. 21-3-01250-34

Parenting Plan
(PPP / PPT / PP)

Clerk's action required: 1

Parenting Plan

1. This parenting plan is a (check one):

Proposal (request) by a parent (name/s): Nicole Wuergler
It is not a signed court order. (PPP)

Court order signed by a judge or commissioner. This is a (check one):

Temporary order. (PPT)

Final order. (PP)

This final parenting plan changes the last final parenting plan.

2. **Children** – This parenting plan is for the following children:

Child's name	Age	Child's name	Age
1. <u>Zachery Orr</u>	<u>15</u>	4.	
2. <u>Holden Orr</u>	<u>13</u>	5.	
3. <u>Jaymee Orr</u>	<u>11</u>	6.	

3. **Reasons for putting limitations on a parent** (under RCW 26.09.191)

a. **Abandonment, neglect, child abuse, domestic violence, assault, or sex offense.**
(If a parent has any of these problems, the court **must** limit that parent's contact with the children and that parent's right to make decisions for the children, and may not require dispute resolution other than court.)

Neither parent has any of these problems. (Skip to **3.b.**)

A parent has one or more of these problems as follows (check all that apply):

Abandonment – (Parent's name): _____
intentionally abandoned a child listed in **2** for an extended time.

Neglect – (Parent's name): _____
substantially refused to perform his/her parenting duties for a child listed in **2**.

Child Abuse – (Parent's name): _____
(or someone living in that parent's home) abused or threatened to abuse a child. The abuse was (check all that apply):
 physical sexual repeated emotional abuse.

Domestic Violence – (Parent's name): Robert Orr Jr
(or someone living in that parent's home) has a history of domestic violence as defined in RCW 26.50.010.

Assault – (Parent's name): Robert Orr Jr
(or someone living in that parent's home) has assaulted or sexually assaulted someone causing grievous physical harm, causing fear of such harm, or resulting in a pregnancy.

Sex Offense –
 (Parent's name): _____
has been convicted of a sex offense as an adult.

Someone living in (parent's name): _____'s home has been convicted as an adult or adjudicated as a juvenile of a sex offense.

b. Other problems that may harm the children's best interests. (If a parent has any of these problems, the court **may** limit that parent's contact with the children and that parent's right to make decisions for the children.)

Neither parent has any of these problems. (Skip to **4.**)

A parent has one or more of these problems as follows (check all that apply):

Neglect – (Parent's name): _____
neglected his/her parental duties towards a child listed in **2**.

Emotional or physical problem – (Parent's name): _____
_____ has a long-term emotional or physical problem that gets in the way of his/her ability to parent.

Substance Abuse – (Parent's name): Robert Orr Jr
has a long-term problem with drugs, alcohol, or other substances that gets in the way of his/her ability to parent.

Lack of emotional ties – (Parent's name): _____
has few or no emotional ties with a child listed in **2**.

Abusive use of conflict – (Parent's name): Robert Orr Jr
uses conflict in a way that may cause serious damage to the psychological development of a child listed in **2**.

Withholding the child – (Parent's name): _____
has kept the other parent away from a child listed in **2** for a long time, without a

good reason.

[] Other (specify): _____

4. Limitations on a parent

[] Does not apply. There are no reasons for limitations checked in **3.a. or 3.b.** above.
(Skip to **5**)

[] **No limitations despite reasons** (explain why there are no limitations on a parent even though there are reasons for limitations checked in **3.a. or 3.b.** above): _____

[x] **The following limits or conditions apply to** (parent's name): Robert Orr Jr
(check all that apply):

[] No contact with the children.

[] Limited contact as shown in the Parenting Time Schedule (sections **8 - 11**) below.

[x] Limited contact as follows (specify schedule, list all contact here instead of in the Parenting Time Schedule): Phone Calls / video calls / visits at an appropriate time and day that does not interrupt the children's school schedule.

[x] **Supervised contact.** All parenting time shall be supervised. Any costs of supervision must be paid by (name): _____

The supervisor shall be:

[] a professional supervisor (name): _____

[x] a non-professional supervisor (name): Nicole Wuerbler

The dates and times of supervised contact will be:

[] as shown in the Parenting Time Schedule (sections **8 - 11**) below.

[x] as follows (specify): Phone Calls / video calls at an appropriate time that does not interrupt childrens schedul

(Specific rules for supervision, if any): _____

[] Other limitations or conditions during parenting time (specify): _____

[] **Evaluation or treatment required.** (Name): _____ must:

[] be evaluated for: _____

[] start (or continue) and comply with treatment:

[] as recommended by the evaluation.

[] as follows (specify kind of treatment and any other details): _____

[x] provide a copy of the evaluation and compliance reports (specify details): _____

Substance Abuse Evaluation results.

If this parent does not follow the evaluation or treatment requirements above, then (what happens): _____

5. Decision-making

When the children are with you, you are responsible for them. You can make day-to-day decisions for the children when they are with you, including decisions about safety and emergency health care. Major decisions must be made as follows:

a. Who can make major decisions about the children?

Type of Major Decision	Joint <i>(parents make these decisions together)</i>	Limited <i>(only the parent named below has authority to make these decisions)</i>
School/ Educational	[]	<input checked="" type="checkbox"/> (Name): <i>Nicole Wuergler</i>
Health care (not emergency)	[]	<input checked="" type="checkbox"/> (Name): <i>Nicole Wuergler</i>
Other:	[]	[] (Name):
Other:	[]	[] (Name):
Other:	[]	[] (Name):

b. Reasons for limits on major decision-making, if any:

- There are no reasons to limit major decision-making.
- Major decision-making **must** be limited because one of the parents has problems as described in **3.a.** above.
- Major decision-making **should** be limited because (check all that apply):
 - Both parents are against shared decision-making.
 - One of the parents does not want to share decision-making and this is reasonable because of:
 - problems as described in **3.b.** above.
 - the history of each parent's participation in decision-making.
 - the parents' ability and desire to cooperate with each other in decision-making.
 - the distance between the parents' homes makes it hard to make timely decisions together.

6. Dispute Resolution

Important! After this parenting plan is signed by a judge or commissioner, if you and the other parent disagree about shared decisions or what parts of this plan mean, the court may require you to use a dispute resolution provider before going back to court. The court may only require a dispute resolution provider if there are **no** limitations in **3.a.** above. If a dispute resolution provider is checked below, the parents may, and sometimes must, use this provider before filing a Petition to Change a Parenting Plan or a Motion for Contempt for not following the plan. Check your county's Local Court Rules.

a. The parents will go to (check one):

The dispute resolution provider below (before they may go to court):

Mediation (mediator or agency name): _____

Arbitration (arbitrator or agency name): _____

Counseling (counselor or agency name): _____

If a dispute resolution provider is not named above or if the named provider is no longer available, the parents may agree on a provider or ask the court to name one.

Important! Unless there is an emergency, the parents must participate in the dispute resolution process listed above in good faith, before going to court for disagreements about joint decisions or what parts of this plan mean. This section does **not** apply to disagreements about money or support.

Court (without having to go to mediation, arbitration, or counseling).

(If you check this box, skip to section 7 below and do not fill out 6.b.)

b. If mediation, arbitration, or counseling is required, one parent must notify the other parent by (check one): certified mail other (specify): _____

The parents will pay for the mediation, arbitration, or counseling services as follows (check one):

(Name): _____ will pay _____%,

(Name): _____ will pay _____%.

based on each parents' Proportional Share of Income (percentage) from line 6 of the Child Support Worksheet.

as decided through the dispute resolution process.

What to expect in the dispute resolution process:

- Preference shall be given to carrying out the parenting plan.
- If you reach an agreement, it must be put into writing, signed, and both parents must get a copy.
- If the court finds that you have used or frustrated the dispute resolution process without a good reason, the court can order you to pay financial sanctions (penalties) including the other parent's legal fees.
- You may go back to court if the dispute resolution process doesn't solve the disagreement or if you disagree with the arbitrator's decision.

7. Custodian

The custodian is (name): Nicole Wnergler solely for the purpose of all state and federal statutes which require a designation or determination of custody. Even though one parent is called the custodian, this does not change the parenting rights and responsibilities described in this plan.

(Washington law generally refers to parenting time and decision-making, rather than custody. However, some state and federal laws require that one person be named the custodian. The custodian is the person with whom the children are scheduled to reside a majority of their time.)

➤ **Parenting Time Schedule (Residential Provisions)**

Check one:

- Limited schedule only** – The children live with (name): _____ and have no contact with the other parent except as described in section 4.

(You may **skip** the parenting time schedule in sections 8 – 11, unless you want a different Summer or Holiday schedule, including to give uninterrupted time for vacation and holidays to the parent **not** subject to limitations.)

- Complete the parenting time schedule in sections 8 – 11.**

8. School Schedule

a. Children under school-age

- Does not apply. All children are school-age.
- The schedule for children under school-age is the same as for school-age children.
- Children under school-age are scheduled to live with (name): _____, except when they are scheduled to live with (name): _____ on (check all that apply):
- WEEKENDS: every week every other week other (specify): _____
 from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
 from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
- WEEKDAYS: every week every other week other (specify): _____
 from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
 from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.
- OTHER (specify): _____
- Other (specify): _____

b. School-age children

This schedule will apply (check one):

- immediately.
 - when the youngest child enters (check one): Kindergarten 1st grade
 - when the oldest child enters (check one): Kindergarten 1st grade
 - Other: Solely at the discretion of the children when it comes to visits.
- The children are scheduled to live with (name): Nicole Wuergler, except when they are scheduled to live with (name): Robert Orr Jr on (check all that apply):

WEEKENDS: every week every other week other (specify): _____

from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.

from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.

WEEKDAYS: every week every other week other (specify): _____

from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.

from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.

OTHER (specify): _____

Other (specify): Holiday Breaks at the discretion of the children.

9. Summer Schedule

Summer begins and ends according to the school calendar. as follows: _____

The Summer Schedule is the **same** as the School Schedule. (Skip to **10**)

The Summer Schedule is the **same** as the School Schedule **except** that each parent shall spend _____ weeks of uninterrupted vacation time with the children each summer. The parents shall confirm their vacation schedules in writing by the end of (date) _____ each year. (Skip to **10**)

The Summer Schedule is **different** than the School Schedule. The Summer Schedule will begin the summer before (check one): the youngest child
 the oldest child
 each child

begins (check one): Kindergarten 1st grade Other: _____

During the summer the children are scheduled to live with (name): _____, except when they are scheduled to live with (name): _____ on (check all that apply):

WEEKENDS: every week every other week other (specify): _____

from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.

from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.

WEEKDAYS: every week every other week other (specify): _____

from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.

from (day) _____ at ____:____.m. to (day) _____ at ____:____.m.

OTHER (specify): Robert Orr Jr will have a summer visit with the children in North Carolina.

10. Holiday Schedule (includes school breaks and special occasions)

The Holiday Schedule is the **same** as the School and Summer Schedules above for all holidays, school breaks, and special occasions. *(Skip to 11.)*

The children are scheduled to spend holidays, school breaks, and special occasions as follows:

(Check all that apply. Note any differences for children who have not yet started school.)

Martin Luther King Jr. Day – Begins and ends *(day/time)*: _____

Odd years with *(name)*: _____; Even years with the other parent

Every year with *(name)*: _____

With the parent who has the children for the attached weekend

Other plan: _____

Presidents' Day – Begins and ends *(day/time)*: _____

Odd years with *(name)*: _____; Even years with the other parent

Every year with *(name)*: _____

With the parent who has the children for the attached weekend

Other plan: _____

Mid-winter Break – Begins and ends *(day/time)*: _____

Odd years with *(name)*: _____; Even years with the other parent

Every year with *(name)*: _____

Each parent has the children for the half of break attached to his/her weekend.
The children must be exchanged on Wednesday at *(time)*: _____

Other plan: _____

Spring Break – Begins and ends *(day/time)*: _____

Odd years with *(name)*: _____; Even years with the other parent

Every year with *(name)*: _____

Each parent has the children for the half of break attached to his/her weekend.
The children must be exchanged on Wednesday at *(time)*: _____

Other plan: _____

Mother's Day – Begins and ends *(day/time)*: _____

Odd years with *(name)*: _____; Even years with the other parent

Every year with *(name)*: _____

Other plan: _____

Memorial Day – Begins and ends *(day/time)*: _____

Odd years with *(name)*: _____; Even years with the other parent

Every year with *(name)*: _____

With the parent who has the children for the attached weekend

Other plan: _____

Father's Day – Begins and ends *(day/time)*: _____

- Odd years with (name): _____; Even years with the other parent
- Every year with (name): _____
- Other plan: Robert Orr Jr scheduled to have a visit every
Father's Day with Children.
- Fourth of July – Begins and ends (day/time): _____
- Odd years with (name): _____; Even years with the other parent
- Every year with (name): _____
- Follow the Summer Schedule in section 9.
- Other plan: _____
- Labor Day – Begins and ends (day/time): _____
- Odd years with (name): _____; Even years with the other parent
- Every year with (name): _____
- With the parent who has the children for the attached weekend
- Other plan: _____
- Thanksgiving Day / Break – Begins and ends (day/time): _____
- Odd years with (name): _____; Even years with the other parent
- Every year with (name): _____
- Other plan: _____
- Winter Break – Begins and ends (day/time): _____
- Odd years with (name): _____; Even years with the other parent
- Every year with (name): _____
- Other plan: Will be spent with Robert Orr Jr
according to children's school schedule.
- Christmas Eve / Day – Begins and ends (day/time): _____
- Odd years with (name): _____; Even years with the other parent
- Every year with (name): _____
- Follow the Winter Break schedule above.
- Other plan: Will be part of Winter break and
will be spent with Robert Orr Jr.
- New Year's Eve / Day – Begins and ends (day/time): _____
(odd/even is based on New Year's Eve)
- Odd years with (name): _____; Even years with the other parent
- Every year with (name): _____

Follow the Winter Break schedule above.

Other plan: _____

All three-day weekends not listed elsewhere

(Federal holidays, school in-service days, etc.)

The children shall spend any unspecified holiday or non-school day with the parent who has them for the attached weekend.

Other plan: _____

Important! Families in Washington observe a broad range of religions and traditions. Your Parenting Plan can provide for how children will spend time on other significant days. (Examples: Eid, Passover, Easter, Chinese New Year, birthdays, etc.) Add lines as needed.

Other occasion important to the family: Birthdays

Begins and ends (day/time): _____

Odd years with (name): _____; Even years with the other parent

Every year with (name): _____

Other plan: Phone calls/video calls on children's birthdays.

Other occasion important to the family: _____

Begins and ends (day/time): _____

Odd years with (name): _____; Even years with the other parent

Every year with (name): _____

Other plan: _____

Other occasion important to the family: _____

Begins and ends (day/time): _____

Odd years with (name): _____; Even years with the other parent

Every year with (name): _____

Other plan: _____

11. Conflicts in Scheduling

The Holiday Schedule must be observed over all other schedules. If there are conflicts within the Holiday Schedule (check all that apply):

Named holidays shall be followed before school breaks.

Children's birthdays shall be followed before named holidays and school breaks.

Other (specify): If any issues occur for scheduled visits Robert Orr Jr must provide advanced notice to Nicole Wuerbler.

12. Transportation Arrangements

The children will be exchanged for parenting time (picked up and dropped off) at:

each parent's home

school or daycare, when in session

other location (specify): To be discussed between Robert Orr Jr and Nicole Wuergler for transportation to and from North Carolina.

Who is responsible for arranging transportation?

The **picking up** parent – The parent who is about to start parenting time with the children must arrange to have the children picked up.

The **dropping off** parent – The parent whose parenting time is ending must arrange to have the children dropped off.

Other details (if any): Children will be going from Washington to North Carolina and back either by flying or driving. Both parents will be responsible for the arrangement and cost of transportation.

13. Moving with the Children (Relocation)

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other person who has court-ordered time with the children.

Move to a different school district

If the move is to a different school district, the relocating person must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

Exceptions:

- If the relocating person could not reasonably have known enough information to complete the form in time to give 60 days' notice, s/he must give notice within **five days** after learning the information.
- If the relocating person is relocating to a domestic violence shelter or moving to avoid a clear, immediate, and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A relocating person who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the relocating person wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

Move within the same school district

If the move is within the *same* school district, the relocating person still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

Warning! If you do not notify...

A relocating person who does not give the required notice may be found in contempt of court. If that happens, the court can impose sanctions. Sanctions can include requiring the relocating person to bring the children back if the move has already happened, and ordering the relocating person to pay the other side's costs and lawyer's fees.

Right to object

A person who has court-ordered time with the children can object to a move to a different school district and/or to the relocating person's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the relocating person and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

Right to move

During the 30 days after the *Notice* was served, the relocating person may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the relocating person may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the relocating person may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the relocating person. (However, the relocating person may ask the court for an order allowing the move even though a hearing is pending if the relocating person believes that s/he or a child is at unreasonable risk of harm.)

The court may make a different decision about the move at a final hearing on the *Objection*.

Parenting Plan after move

If the relocating person served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte*

Warning! If you do not follow this *Parenting Plan*, the court may find you in contempt (RCW 26.09.160). You still have to follow this *Parenting Plan* even if the other parent doesn't. Violation of **residential** provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

If this is a court order, the parties and/or their lawyers (and any GAL) sign below.

This order (check any that apply):

- is an agreement of the parties.
- is presented by me.
- may be signed by the court without notice to me.

This order (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 or lawyer signs here + WSBA #

Respondent or lawyer signs here + WSBA #

Print Name *Date*

Print Name *Date*

This order (check any that apply):

- is an agreement of the parties.
- is presented by me.
- may be signed by the court without notice to me.

This order (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 #

Other party or Guardian ad Litem signs here

Print Name *Date*

Print Name *Date*