

E-FILED  
THURSTON COUNTY, WA  
SUPERIOR COURT  
03/20/2024 - 11:15AM  
Linda Myhre Enlow  
Thurston County Clerk


<input type="checkbox"/>	EXPEDITE
<input checked="" type="checkbox"/>	Hearing is set Date: <i>Wednesday, April 17, 2024</i> Time: 3:00 p.m. Judge/Calendar: State Family Law
<input type="checkbox"/>	No hearing scheduled.

**Superior Court of Washington, County of Thurston**

In re Support: STATE OF WASHINGTON Petitioner,	NO: <b>24-3-00314-34</b>
vs.	Notice and Finding of Financial Responsibility
JENNIFER COMO Respondent.	No Mandatory Form Developed

**Notice and Finding of Financial Responsibility**

Submitted by:

▶   
State of Washington  
CLAY FOSTER  
Deputy Prosecuting Attorney  
WSBA Number: 22695

  
Date



STATE OF WASHINGTON  
DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
DIVISION OF CHILD SUPPORT (DCS)

**Notice and Finding of Financial Responsibility**

JENNIFER LORRAINE COMO	)	DCS CASE NUMBER: 2888659
Noncustodial Parent	)	
JAMES WARREN FOWLER	)	
Custodial Parent / Physical Custodian	)	

**Purpose of This Notice**

The Department of Social and Health Services, Division of Child Support (DCS), served this notice on you to establish a child support order for the children named below. A child support order may include a financial support obligation, a medical support obligation, or both. If neither you nor the other party to this case requests a hearing, this notice becomes a final child support order and DCS can enforce it without further notice to you (see page 6 for more details).

- If this box is checked**, DCS is establishing an order that requires you to provide both financial and medical support.
- If this box is checked**, DCS is establishing an order that requires you to provide medical support only.

Both the noncustodial parent and the custodial parent (if he or she is a parent of the children) have a medical support obligation for the children named below. See page 3 for details about each parent's medical support obligation.

**Financial Support Obligation**

- Note: The parties are currently reconciled. In the event that the noncustodial parent no longer resides with the children, the noncustodial parent will owe current support under this order.

The noncustodial parent shall pay the following amounts per month for the following children beginning 03/01/2022.

- The monthly support obligation set by this notice is undifferentiated; it is not set as a per month per child amount. The amount does not change until there is no support owed for any of the children listed below.
- The monthly support obligation set by this notice is differentiated; it is set as a *per month per child* amount.

Name	Age	Amount
JORDAN RAIN FOWLER COMO	9	\$ 515.00
		\$
		\$
		\$
		\$
		\$

**Ongoing Monthly Current Support Total \$ 515.00**

Future payments are due on the first day of each following month. See page 4 for payment information.

Total Past-Due Support Amount (Child Support Debt): \$ 257.46 for the period:  
2/15/2022 through 2/28/2022

DCS will add any unpaid support to the total past-due amount. If the noncustodial parent cannot pay the total past-due amount, the noncustodial parent should contact DCS to negotiate a payment plan.



DCS uses the **Washington State Child Support Schedule** (Chapter 26.19 RCW) to set child support obligations. For an explanation of this process, visit the DCS web site at [secure.dshs.wa.gov/dconline](http://secure.dshs.wa.gov/dconline) or [www.dshs.wa.gov/esa/division-child-support](http://www.dshs.wa.gov/esa/division-child-support). If you do not have internet access, or if you need the information in another language or in an alternate format, call DCS at the telephone numbers listed on page 7 of this notice.

### Parties to the Case

The **custodial parent** is the person, whether a parent or not, with whom a dependent child resides during the majority of the time period for which DCS seeks to establish or enforce a child support obligation.

The **noncustodial parent** is the legal or biological parent from whom the state seeks support for a dependent child. A parent is considered a noncustodial parent if the child did not reside with that parent during the majority of the time period for which DCS seeks support.

The **physical custodian** is a custodial parent who is not one of the parents of a dependent child. The physical custodian has no obligation to support the child, and his or her income is not included in any of the calculations. The physical custodian has no obligation to provide medical support or to pay a share of uninsured medical expenses.

### Calculation of Monthly Net Income

The attached **Washington State Child Support Schedule** worksheets show the income calculations used in this notice.

Based on available information, DCS calculated the **noncustodial parent's monthly net income** as \$ 3,365.00.

1. Income was based on actual earnings of \$ \_\_\_\_\_ gross  per week  per month.
2. Because of incomplete information, income was imputed at \$ \_\_\_\_\_. See the worksheets.
3. Because DCS has information that the noncustodial parent is voluntarily unemployed or underemployed, income was imputed at \$ \_\_\_\_\_. See the worksheets.
4. The noncustodial parent receives Temporary Assistance for Needy Families. In the absence of actual income information, DCS imputed full time earnings at minimum wage of \$ \_\_\_\_\_.
5. Income was based on self-employment or business income of \$ \_\_\_\_\_.
6. Other:

Based on available information, DCS calculated the **custodial parent's monthly net income** as \$ 5,359.00.

1. Income was based on actual earnings of \$ 6,000.00 gross  per week  per month.
2. Because of incomplete information, income was imputed at \$ \_\_\_\_\_. See the worksheets.
3. Because DCS has information that the custodial parent is voluntarily unemployed or underemployed, income was imputed at \$ \_\_\_\_\_. See the worksheets.
4. The custodial parent receives Temporary Assistance for Needy Families. In the absence of actual income information, DCS imputed full time earnings at minimum wage of \$ \_\_\_\_\_.
5. Income was based on self-employment or business income of \$ \_\_\_\_\_.
6. Other:

### Limitations and / or Deviations Applied by DCS

To find out how and why DCS applied a certain limitation or deviation in this case, see line 26 of the attached worksheets.

1.  DCS applied the self-support reserve (low income limitation) in determining the current support obligation.
2.  DCS used the presumptive minimum obligation of \$50.00 per month per child.
3.  DCS proposed a zero support obligation because the noncustodial parent is incarcerated or institutionalized with no assets or income, or receives assistance (SSI or state disability benefits).

If DCS knows the noncustodial parent has children other than those listed in this notice, DCS:

1.  Applied a method we call the Whole Family Formula.
2.  Applied the 45 percent limitation from RCW 26.19.065(2).

### Medical Support Obligation

A medical support obligation has two parts: (1) both parents must provide health care coverage for the children; and (2) both parents must pay their proportionate share of uninsured medical expenses. Under certain circumstances, one parent may be excused from the obligation to provide health care coverage. DCS calls a parent who is required to provide medical support the **obligated parent**.

1.  The noncustodial parent must provide accessible health care coverage for the children listed on page 1.
2.  The custodial parent must provide accessible health care coverage for the children listed on page 1.

DCS considers the obligated parent's requirement to provide health care coverage satisfied if the children are eligible for Indian Health Services. DCS considers the obligated parent's requirement to provide health care coverage satisfied if the children are enrolled in public health care coverage through the obligated parent. The obligated parent must provide proof of accessible coverage for the children to DCS and the other parent within 20 days of the date that this notice becomes a final child support order. If the obligated parent does not provide proof of coverage, DCS may require the obligated parent to do one of the following in this order of priority:

1. Provide or maintain health care coverage through his or her employment or union at a cost that does not exceed 25 percent of his or her basic child support obligation (from line 19 of the attached worksheets);
2. Contribute his or her proportionate share of the monthly premium that the other parent pays for health care coverage for the children listed on page 1, with this share not to exceed 25 percent of the obligated parent's basic child support obligation; or,
3. **In the case of the noncustodial parent only**, contribute his or her proportionate share of the monthly premium paid by the state, not to exceed 25 percent of his or her basic child support obligation, if the children receive state-financed medical coverage through DSHS under Chapter 74.09 RCW for which there is an assignment.

### Health Care Costs and Other Costs

Both parents are responsible for certain expenses for the children which are shared based on their proportionate share of the combined monthly net income (from line 6 of the worksheets). DCS may have included one or more of these costs in calculating the current child support obligation. The noncustodial parent's share is 38.6 percent of the obligation. The custodial parent's share is 61.4 percent of the obligation. DCS may serve a notice under RCW 26.23.110 to establish the amount that a parent owes for these costs if they are not included in the basic child support obligation.

These costs may include the following:

1. Health care costs, also known as medical expenses, which include medical, dental, orthodontia, vision, chiropractic, mental health treatment, prescription medications, and other similar costs for care and treatment, uninsured medical expenses, copayments, and deductibles for the children.
2. Daycare and child care expenses.

### Change of Circumstances and Health Care Coverage

An obligated parent must notify both DCS and the other parent when coverage terminates.

If an obligated parent does not enroll the children in privately accessible health care coverage, or in coverage provided by his or her employer or union, or if his or her circumstances change, DCS may enforce his or her medical support obligations **without further notice** as provided in RCW 26.18.170. DCS may do one of the following:

1. Send a notice under RCW 26.18.170 to the employer or union requiring the employer or union to enroll the children in a health care coverage plan.
2. Serve the obligated parent a notice that requires him or her to pay a proportionate share of the monthly premium that the other parent pays for the children, not to exceed 25 percent of his or her basic child support obligation, which is \$ 129.00 for the father and \$ 205.00 for the mother.
3. Serve the noncustodial parent a notice that requires him or her to contribute a proportionate share of a monthly premium paid by the state, not to exceed 25 percent of his or her basic child support obligation, or \$ 129.00 per month.

### If This Notice is to Establish a Medical Support Obligation Only

If you or the other party wants to establish a monthly financial support obligation, you or the other party must apply to DCS for full enforcement services and petition to modify this order. DCS may seek to modify this order when authorized by federal IV-D program rules.

### Abatement Information

If the noncustodial parent is confined to or sentenced to at least six months in a jail, prison, or correctional facility, DCS or either party may request a temporary reduction, or abatement, of child support. If DCS learns of qualifying incarceration, it will review its records to determine whether the noncustodial parent has the ability to pay child support during the period of incarceration.

DCS will notify the parties of its decision to abate or not to abate this child support obligation. This notification will explain the terms of the abatement and any administrative hearing rights associated with abatement. Washington law presumes the noncustodial parent is unable to pay support during incarceration. If the person entitled to receive child support objects to the notice of abatement, they must demonstrate that the noncustodial parent has access to or possession of income or assets to pay child support while incarcerated.

If the child support established in this notice is abated, it will continue at \$10 per month until the fourth month after the noncustodial parent is released. Beginning the first day of the fourth month after release, the child support will be automatically reinstated at 50 percent of the original child support amount, but not less than \$50 per month per child. The child support will be automatically reinstated at the full amount one year after the noncustodial parent's release from incarceration.

The effective date of abatement is the date the noncustodial parent becomes incarcerated for at least six months regardless of when DCS is notified of the incarceration. DCS is not required to refund any support collected prior to learning of the incarceration. A request to abate a child support order must be made during the period of the noncustodial parent's incarceration in order to be abated.

If at any point during the noncustodial parent's incarceration, a person or DCS learns of income or other assets available to pay support, a request to terminate or reverse the abatement may be made through DCS or the Office of Administrative Hearings.

### Payments

DCS sends a withholding order to any employer, person or organization who DCS believes pays the noncustodial parent, even if the noncustodial parent is not behind in support payments. Washington law requires the noncustodial parent to make arrangements to pay the full child support amount each month even if the employer cannot deduct the full amount.

Make support payments payable to the Washington State Support Registry (WSSR). Pay by one of the following methods:

1. Payroll deduction. DCS uses this payment method whenever possible. You must be employed and DCS must know who your employer is.
2. Internet. An Internet payment allows deduction of support payments from a checking or savings account. For more information about Internet payments, visit the DCS web site at <https://secure.dshs.wa.gov>.
3. Electronic Funds Transfer (EFT). EFT allows automatic deduction of support payments from a checking or savings account each month. For more information, call 800-468-7422.
4. Credit or Debit card or Cash. For more information about using this payment option, visit the "Pay your Child Support" page on the DCS website: <https://www.dshs.wa.gov/esa/dcs-office-financial-recovery/paying-child-support>.
5. Personal check, money order, certified check, or cashier's check. Send all check and money order payments to:

WASHINGTON STATE SUPPORT REGISTRY  
PO BOX 45868  
OLYMPIA WA 98504-5868

Include account number IN 2856906 on all payments.

DCS credits the noncustodial parent's account only for payments sent to the WSSR, a state court or child support agency, or a tribal court or child support agency. **DCS will not credit the noncustodial parent's account for money paid directly to the other party to the support order.**

### Enforcement Information

Once a final administrative order is entered, Chapters 26.18, 26.23, 74.20, and 74.20A RCW allow (and federal law requires) DCS to take collection actions even if the noncustodial parent is not behind in support payments. This may include such things as withholding against wages, earnings, assets or benefits; filing and foreclosure of liens against real or personal property; distraint, seizure and sale; certification for license suspension under RCW 74.20A.320; and other collection actions as necessary to satisfy the debt and enforce the support obligation established under this notice.

## How to Request Information in DCS Records

DCS records contain confidential information about both the custodial parent and the noncustodial parent. All DCS information and records are private and confidential and are disclosed only to a person or entity as provided in RCW 26.23.120 or in WAC 388-14A-2105 through 388-14A-2160. If you want information that is in DCS records, contact DCS. You must request certain information in writing such as a request for the other party's address. DCS can provide you a form for this purpose. If you are the noncustodial parent, WAC 388-14A-2114(2) allows DCS to release your address to the custodial parent without notice to you unless you previously asked us to provide you notice of such a request. For more information, see the DCS web site at [www.childsupportonline.wa.gov](http://www.childsupportonline.wa.gov) or call DCS at one of the telephone numbers listed on page 7.

## If You Disagree With this Notice

If you disagree with this notice, you must object and / or ask for a hearing.

1. If you are the noncustodial parent, you must contact DCS and let us know that you disagree with this notice or ask for a hearing within 20 days of receiving this notice in Washington State or within 60 days of receiving this notice outside Washington State.
2. You can contact DCS and negotiate the amount and type of the child support obligation. If all parties agree, DCS, the noncustodial parent, and the custodial parent may sign an agreed settlement and reach a final child support order without going to hearing.
3. A timely hearing request stays collection actions until the entry of a final administrative order.
4. If you are the custodial parent or physical custodian, you must contact DCS and let us know that you disagree with the notice or ask us for a hearing within 20 days.
5. Both the noncustodial parent and the custodial parent or physical custodian may participate in a hearing.

If you object to this notice or want a hearing, do one of the following within the time limits:

1. Complete the enclosed **Objection / Request for Adjudicative Proceeding (Hearing)** form. Return the completed form to the DCS address listed on the form.
2. Call DCS at the telephone numbers listed on page 7 and ask for a hearing.

If either party asks for a hearing, both of you will receive notice of the date, time, and place of the hearing. The hearing may take place by phone. If you do not attend and participate in a hearing, one of the following may occur:

1. An Administrative Law Judge (ALJ) will enter a default order against you. DCS may enter into an agreed settlement or consent order with the party who does appear at the hearing. The support amounts may be higher or lower than the amounts listed in this notice. The terms may be different from the terms listed in this notice.
2. Even if you agree with the terms in this notice, the other party to the case may ask for a hearing. If the other party requests a hearing and you do not attend and participate in it, an ALJ may grant requests made by DCS or the other party to the case without further notice to you. The hearing may affect the amount of the child support obligation.

If neither party to the case asks for a hearing:

1. This notice will become a final order 20 days (or 60 days if the noncustodial parent received this notice outside Washington State) after the noncustodial parent receives this notice.
2. The deviations, credits, and limitations in this notice and the attached **Washington State Child Support Schedule** worksheets become findings of fact.

Late hearing requests:

If nobody asks for a hearing before this notice becomes a final order, either party may file a late request for hearing. DCS continues to enforce the order even if one of you files a late request for hearing. DCS is not required to refund any support collections that have been received.

1. If you file a late request for hearing more than a year after the date the notice was served, you must tell the ALJ why you did not file the request on time (show good cause why the hearing request was not timely). If the ALJ finds good cause, the ALJ will hold a hearing on the merits of the notice. If the ALJ finds that you do not have good cause, the ALJ may treat your request for hearing as a petition for modification.

2. If you file a late request for hearing within one year of the date the notice was served, you are not required to show good cause and can have a hearing on the merits of the notice.

**Default orders:**

If the Office of Administrative Hearings (OAH) schedules a hearing for your case and the ALJ enters a default order against you, you may petition to vacate the default order. The ALJ must consider the prejudice to the parent who did appear for the original hearing before he or she determines if you have shown good cause to vacate the default order.

**Order Duration**

Once a final administrative child support order is entered, the current child support, health care, and medical requirements continue each month until one of the following occurs:

1. A state or tribal court order supersedes the order.
2. The order is modified under WAC 388-14A-3925. The noncustodial parent, custodial parent, physical custodian, or DCS may petition for modification of a child support order.
3. The child turns 18, or graduates from a secondary school program or the same level of vocational or technical training, whichever is later, if the child is a full-time student and has not reached age 19.
4. A child emancipates, marries, or becomes a member of the United States armed forces.
5. A child or the noncustodial parent dies.
6. The parties to the order marry or remarry each other, as provided in WAC 388-14A-3100(3).

**Notice**

If you or the other party to this case do not request a hearing within 20 days (60 days if the noncustodial parent receives this notice outside of Washington state), this notice becomes a final administrative order without further action by DCS. The amounts for current and future child support and the support debt stated in the notice will be subject to collection action at any time, without further notice to the noncustodial parent, even if the noncustodial parent is not behind in support payments.

DCS may use any collection remedies available under Chapters 26.23, 74.20 and 74.20A RCW to collect unreimbursed medical expenses the custodial parent owes.

In any proceeding to establish, enforce, or modify a support order, DCS may serve written notices on the parties to the order by first class mail. DCS may serve these notices to the parties' last-known addresses. An ALJ may grant a petition to modify a support order by default if a party fails to appear at a modification proceeding. This applies even if DCS cannot prove that the party who failed to appear actually received the notice of the hearing sent by first class mail to the last-known address of the party.

The Servicemembers Civil Relief Act (SCRA) may apply to your case. If you think that your rights may be affected by the SCRA (50 U.S.C. App. §§501-597b), please contact DCS immediately at the telephone numbers listed on page 7.

Both parties must include case number 2888659 on all correspondence.

The noncustodial parent must:

1. Tell DCS of all address changes, employer changes, or any other changes that might affect the child support amount or the obligation to pay support.
2. Tell DCS when you provide health care coverage for the children and when health care coverage ends.
3. Tell DCS if a court or child support agency from another state asks you to make child support payments to them.

The custodial parent or physical custodian must:

1. Tell DCS of any address changes or employer changes (if appropriate).
2. Tell DCS when you provide health care coverage for the children and when health care coverage ends.
3. Tell DCS if any child named in this notice leaves your household for reasons other than visitation with the noncustodial parent.
4. Tell DCS if any child named in this notice no longer attends high school if between ages 18 and 19.

**Notice Regarding Acknowledgments or Affidavits of Paternity or Parentage**

Acknowledgments or affidavits of paternity or parentage signed before 1/1/2019 in Washington State:

The laws regarding acknowledgment of parentage in Washington State changed as of 1/1/19. If you signed a paternity affidavit or acknowledgment of paternity in Washington State on or before 12/31/18 and you want to rescind or challenge the affidavit/acknowledgment, you should consult an attorney to determine your legal options.

Acknowledgments of parentage signed after 12/31/2018 in Washington State:

If you signed an acknowledgment of parentage in Washington State and want to rescind or challenge the acknowledgment or deny parentage, you must either:

1. File a rescission of the acknowledgment with the Department of Health Center for Health Statistics before sixty (60) days of the effective date of the acknowledgment or the date of the first hearing before a court to adjudicate an issue relating to the child, whichever is earlier; or
2. File an action in court. See RCW 26.26A.235 and RCW 26.26A.240.

Acknowledgments of parentage or affidavits/acknowledgments of paternity signed in other states:

If you signed an acknowledgment or affidavit of parentage or paternity in a state or jurisdiction other than Washington, you must follow the laws of that jurisdiction to challenge or deny parentage or paternity.

For more information, go to the DCS web site at [secure.dshs.wa.gov/dcsonline](http://secure.dshs.wa.gov/dcsonline). If you do not have internet access, or if you need the information in another language or in an alternate format, call DCS at the telephone numbers listed below.

March 04, 2022  
DATE

S RIDGE  
AUTHORIZED REPRESENTATIVE  
DIVISION OF CHILD SUPPORT

DIVISION OF CHILD SUPPORT  
PO BOX 11520  
TACOMA WA 98411-5520

Within Tacoma calling area (253) 597-3700

Outside Tacoma calling area (800) 345-9976

TTY/TDD services available for the speech or hearing impaired.

Visit our web site at: [www.dshs.wa.gov/esa/division-child-support](http://www.dshs.wa.gov/esa/division-child-support) or at [secure.dshs.wa.gov/dcsonline](http://secure.dshs.wa.gov/dcsonline).

No person because of race, color, national origin, creed, religion, sex, age, or disability, shall be discriminated against in employment, services, or any aspect of the program's activities. This form is available in alternative formats upon request.