**Superior Court of Washington, County of Snohomish**

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| In re:  Petitioner:  JANE D. SMITH  And Respondent:  JOHN D. SMITH | No. 55-5-55555-5  Agreed Child Support Order  Final (ORS)  [X] **Clerk's Action Required.** |

**Child Support Order**

**1. Money Judgment Summary**

No money judgment is ordered.

Findings and Orders

**2.** The court orders child support as part of this family law case. This is a final order.

**3.** The *Child Support Schedule Worksheets* attached or filed separately are approved by the court and made part of this Order.

**4. Parents' contact and employment information**

***Important!*** If you move or get a new job any time while support is still owed, you must:

* Notify the Support Registry, and
* Fill out and file an updated *Confidential Information* form with the court.

***Warning!*** Any notice of a child support action delivered to the last address you provided on the *Confidential Information* form will be considered adequate notice, if the party trying to serve you has shown diligent efforts to locate you.

**5. Parents' Income**

| **Parent *(name):*** John Smith | **Parent *(name):*** Jane Smith |
| --- | --- |
| **Net monthly income $ 9,405.**  *(line 3 of the Worksheets)*  This income is:  [ ] imputed to this parent.  [X] this parent’s actual income *(after any exclusions approved below)* | **Net monthly income $ 2,314.**  *(line 3 of the Worksheets)*  This income is:  [ ] imputed to this parent.  [X] this parent’s actual income *(after any exclusions approved below)* |
| **Does this parent have income from overtime or a 2nd job?**  [X] No.  [ ] Yes. | **Does this parent have income from overtime or a 2nd job?**  [X] No.  [ ] Yes. |

**6. Imputed Income**

*To calculate child support, the court may* ***impute*** *income to a parent:*

* *whose income is unknown, or*
* *who the Court finds is unemployed or under-employed by choice.*

*Imputed income is not actual income. It is an assigned amount the court finds a parent could or should be earning. (RCW 26.19.071(6))*

| **Parent *(name):*** John Smith | **Parent *(name):*** Jane Smith |
| --- | --- |
| Does not apply. This parent’s actual income is used. | Does not apply. This parent’s actual income is used. |

**7. Limits affecting the monthly child support amount**

Does not apply. The monthly amount was not affected by the upper or lower limits in RCW 26.19.065.

The monthly amount has been affected by:

**Combined Monthly Net Income over $12,000.** Together the parents earn more than $12,000 per month. The child support amount is the presumptive amount from the economic table.

**8. Standard Calculation**

**All children living together** - All of the children are living with John Smith most of the time. The other parent must pay child support. The standard calculation from the *Child Support Schedule Worksheets* line 17 for the parent paying support is $470.83.

**9. Deviation from standard calculation**

Should the monthly child support amount be different from the standard calculation?:

**Yes** - The monthly child support amount ordered in section **10** is **different** from the standard calculation listed in section **8** because:

The children in this case:

Spend nearly half the time with the parent who owes support. The non-standard amount still gives the other parent's household enough money for the children's basic needs. The children do not get public assistance (TANF).

The parent who owes support has shown it is not fair to have to pay the $50 per child presumptive minimum payment.

**The facts that support the reasons checked above are:**

The children spend three days a week living with the obligor parent, whose income is significantly less than the obligee parent.

**10. Monthly child support amount (transfer payment)**

After considering the standard calculation and whether or not to apply a deviation, the court orders the following monthly child support amount (transfer payment).

**All children living together** - Jane Smith must pay child support to John Smith each month as follows for the children listed below:

|  |  |  |
| --- | --- | --- |
| Child’s Name | Age | Amount |
| 1. James D. Smith | 6 | $0 |
| 2. Anna D. Smith | 5 | $0 |
| **Total monthly child support amount:** | | **$0** |

**11. Starting date and payment schedule**

The monthly child support amount must be paid starting March 2017 on the following payment schedule:

Does not apply – no transfer amount.

**12. Step Increase (for modifications or adjustments only)**

Does not apply.

**13. Periodic Adjustment**

Child support may be changed according to state law. The Court is not ordering a specific periodic adjustment schedule below.

**14. Payment Method**

Does not apply – no transfer amount

**15. Enforcement through income withholding (garnishment)**

DCS or the person owed support can collect the support owed from the wages, earnings, assets or benefits of the parent who owes support, and can enforce liens against real or personal property as allowed by any state's child support laws without notice to the parent who owes the support.

*If this order is* ***not*** *being enforced by DCS and the person owed support wants to have support paid directly from the employer, the person owed support must ask the court to sign a separate wage assignment order requiring the employer to withhold wages and make payments. (Chapter 26.18 RCW.)*

Income withholding may be delayed until a payment becomes past due if the court finds good reason to delay.

Does not apply. There is no good reason to delay income withholding. There is no transfer amount.

**16. End date for support**

Support must be paid for each child until the child turns 18 or is no longer enrolled in high school, whichever happens last, unless the court makes a different order in section **17**.

**17. Post-secondary educational support (for college or vocational school)**

**Reserved** - A parent or non-parent custodian may ask the court for post-secondary educational support at a later date without showing a substantial change of circumstances by filing a *Petition to Modify Child Support Order* (form FL Modify 501) The *Petition* must be filed *before* child support ends as listed in section **16**.

**18. Claiming children as dependents on tax forms**

The parties have the right to claim the children as their dependents on their tax forms as follows:

John Smith has the right to claim the older child and Jane Smith has the right to claim the younger child. When only one child remains, John Smith will claim her in even tax years and Jane Smith will claim her in odd tax years.

For tax years when a non-custodial parent has the right to claim the children, the parents must cooperate to fill out and submit IRS Form 8332 in a timely manner.

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| ***Warning!*** *Under federal law, the parent who claims a child as a dependent may owe a tax penalty if the child is not covered by health insurance.* |

**19. Health Insurance**

***Important!*** *Read the Health Insurance Warnings at the end of this order.*

John Smith must pay the premium to provide health insurance coverage for the children. The court has considered the needs of the children, the cost and extent of coverage, and the accessibility of coverage.

The other parent must pay his/her proportional share\* of the premium paid. Health insurance premiums are included on the *Worksheets* (line 14). No separate payment is needed.

*\* Proportional share is each parent's percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.*

**20. Health insurance if circumstances change or court has not ordered**

If the parties' circumstances change, or if the court is not ordering how health insurance must be provided for the children in section **19**:

* A parent, non-parent custodian, or DCS can enforce medical support.
* If a parent does not provide proof of accessible private insurance (insurance that can be used for the children's primary care), that parent may have to:
* Get (or keep) insurance through his/her work or union, unless the insurance costs more than 25% of his/her basic support obligation (line 19 of the *Worksheets*),
* Pay his/her share of the other parent's monthly premium up to 25% of his/her basic support obligation (line 19 of the *Worksheets*), or
* Pay his/her share of the monthly cost of any public health care coverage, such as Healthy Kids, BHP, or Medicaid, for which there is an assignment.

**21. Children's expenses not included in the monthly child support amount**

**Uninsured medical expenses** - Each parent is responsible for a share of uninsured medical expenses as ordered below. Uninsured medical expenses include premiums, co-pays, deductibles, and other health care costs not covered by insurance. A parent can ask DCS to collect those expenses, or a parent or non-parent custodian can ask the court for a judgment.

| **Children’s Expenses for:** | Parent:  John Smith  pays monthly | Parent:  Jane Smith   pays monthly | Make payments to: | |
| --- | --- | --- | --- | --- |
| Person who pays the expense | Service Provider |
| Uninsured medical expenses | Proportional Share\* | Proportional Share\* | [X] | [ ] |

\* *Proportional Share is each parent’s percentage share of the combined net income from line 6 of the Child Support Schedule Worksheets.*

**Other shared expenses:**

Does not apply. The monthly amount covers all expenses, except health care expenses.

**22. Past due child support, medical support and other expenses**

As of today, neither parent owes:

[X] Past due child support [X] Interest on past due child support

[X] Past due medical support [X] Interest on past due medical support

[X] Past due other expenses [X] Interest on past due other expenses

to:

The other parent or non-parent custodian or the state.

**23. Overpayment caused by change**

Does not apply.

**24. Other Orders**

All the *Warnings* below are required by law and are incorporated and made part of this order.

**Ordered.**

*Date Judge or Commissioner*

**Petitioner and Respondent or their lawyers fill out below:**

|  |  |
| --- | --- |
| This document: | This document: |
| Is an agreement of the parties  May be signed by the court without notice to me | Is an agreement of the parties  Is presented by me |

*Petitioner signs here* ***or*** *lawyer signs here + WSBA # Respondent signs here* ***or*** *lawyer signs here + WSBA #*

Jane Smith John Smith

*Print Name Date Print Name Date*

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| ***Warnings!***  **If you don’t follow this child support order…**   * DOL or other licensing agencies may deny, suspend, or refuse to renew your licenses, including your driver’s license and business or professional licenses, and * Dept. of Fish and Wildlife may suspend or refuse to issue your fishing and hunting licenses and you may not be able to get permits. *(RCW 74.20A.320)* | **If you receive child support…**  You may have to:   * Document how that support and any cash received for the children’s health care was spent. * Repay the other parent for any day care or special expenses included in the support if you didn’t actually have those expenses. *(RCW 26.19.080)* |

***Health Insurance Warnings!***

**Both parents** must keep the Support Registry informed whether or not they have access to health insurance for the children at a reasonable cost, and provide the policy information for any such insurance.

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| **If you are ordered to provide children’s health insurance…**  You have **20 days** from the date of this order to send:   * proof that the children are covered by insurance, or * proof that insurance is not available as ordered.   Send your proof to the other parent or to the Support Registry (if your payments go there).  If you do **not** provide proof of insurance:  The other parent or the support agency may contact your employer or union, without notifying you, to ask for direct enforcement of this order *(RCW 26.18.170)*, and  The other parent may:  Ask the Division of Child Support (DCS) for help,  Ask the court for a contempt order, or  File a Petition in court.  **Don’t** cancel your children’s health insurance without the court’s approval, unless your job ends and you can no | longer get or continue coverage as ordered in section 19 through your job or union. If your insurance coverage for the children ends, you must notify the other parent and the Support Registry.  If an insurer sends you payment for a medical provider’s service:   * you must send it to the medical provider if the provider has not been paid; or * you must send the payment to whoever paid the provider if someone else paid the provider; or * you may keep the payment if you paid the provider.   If the children have public health care coverage, the state can make you pay for the cost of the monthly premium.  **Always** inform the Support Registry and other parent if your access to health insurance changes or ends |