

YAKIMA COUNTY CLERK

OFFICE OF COUNTY CLERK & EX-OFFICIO CLERK OF SUPERIOR COURT
128 NORTH SECOND STREET, ROOM 323
YAKIMA WA 98901

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Family Law Matters: Child Support

The majority of information herein is taken from the Washington State Courts web site.
It is your responsibility to check the RCW's to ensure proper legal procedures.

CHILD SUPPORT: (these matters fall under "Family Law" litigation.)

General Information About Child Support:

The term "child support" refers to the financial contribution each parent should make in order to assist with the cost(s) involved in the overall expenses of raising the minor child.

In Washington, child support is determined from the form entitled [Washington Child Support Schedule](#).

The amount of financial support to be paid under the support schedule is decided by the information you provide on the form called the [Washington State Child Support Worksheet](#).

A helpful tool to use in calculating Child Support can be found by clicking here: [Calculation help](#).

The obligation to pay child support usually begins on the date of filing of a Petition for Dissolution (or Legal Separation or Parentage).

As the income levels of each parent are subject to change, you may also seek to 'modify' the child support amount(s) previously entered in a case. The modification will be placed in the same case as the Divorce, Legal Separation, Custody or Paternity. A new case number is rarely assigned.

If you are not married to the other parent of your child, you can ask the prosecutor's office to establish child support. You can then ask the state DSHS, Division of Child Support to collect child support.

You will still have to set up the parenting plan on your own. You can have a lawyer handle the case for you, or you can do it yourself.

[Forms / Books](#)

[Court Facilitator](#)

[Support Schedule](#)

[Support Worksheet](#)

Starting the Case

Child Support matters are addressed within the Divorce, Legal Separation, Custody or Paternity case. Your documents are to be filed in that case. If you are addressing Child Support at the time the main Divorce (or Legal Separation / Custody / Paternity) action, there is no fee to file your documents.

However, if you are filing a Petition To Modify Child Support (updating a previously ordered child support amount, due to income changes) there is a filing fee for filing the Petition, unless the

court decides the petitioner is unable to pay the fee.

Please refer to the [Yakima County's Fee Schedule](#) for appropriate fees.

[Fee Schedule](#)

The case caption and case number of the modification should read exactly like the order you are wanting to modify (where the Petitioners' names remains as the "Petitioner" and the Respondents' name remains as the "Respondent", as this is the way the file was initially started.) The person filing or starting the modification is called the "Moving Party". The party responding to the Petition has a limited time in which to file a written Response with the clerk of the court. Please refer to the RCW's for proper service and response times.

The Respondent must make arrangements to have copies of the written response served on the moving party or the moving parties' lawyer within the same time period. If the Respondent fails to file or serve a written Response within the required time period the court may enter a default judgment against the respondent.

It's a good idea to either make a spare copy of each form you will need and use one as a rough draft, or start your forms in pencil and copy over them in ink when you have them the way you want them. Your finished forms must be completed neatly. You may type them, or print them using **black ink**. Only documents with **original, ink signatures should be filed in the clerk's office** or given to the judge in the courtroom.

You should make photocopies of all the completed documents you will file with the court so you have copies for yourself and for serving on the other party. When you file the original documents at the clerk's office, be sure to stamp the copies you've made with the clerk's "Filed" stamp. Stamping your copies in this way is called "conforming copies" and can help prove that you actually filed the documents.

Keep an organized file of all court papers, letters, other documents, and notes of conversations with others concerning your case. It is especially important to keep proof that documents were served on the other party. You may need to work on your case at home when the courthouse may not be open. Your personal file may also be important if a judge in your case wants to see a document that is not in your court file.

All papers filed with the court will become part of a permanent record. Most of the papers will be filed in a public court file. You can view your public court file and obtain copies of any documents in the file at the court clerk's office.

[The following papers will be filed in a restricted access file:](#) Confidential Information Form, Addendum to Confidential Information Form, Sealed Financial Source Documents cover sheet and the financial documents filed under the coversheet. You and the other parties will be able to view and obtain copies of these papers, except for the Confidential Information Form and the Addendum to Confidential Information Form, which cannot be viewed by any other party unless the court grants an order allowing access to the forms. The public cannot view any of the papers in the restricted access file without a court order allowing access to the papers or information on the papers. [It is required by local court rule that, at the time you file these documents, you must provide a cover page to each of these documents which contains your case information and the name of the pleading.](#) This cover page (1 sheet of paper) will then be placed in the public file, while the rest of the papers will be placed in the restricted access file.

[Confidential Cover Page](#)

Use the Pattern Forms for Child Support Modification(s)

Washington has pattern legal forms you must use in modification actions and other family law cases. These are the instructions to help you fill out the modification pattern forms. There are many more forms in the domestic relations forms packet than you may need for modification of a

Custody Decree, Parenting Plan or Residential Schedule.

Here is where you can get forms and instructions:

- ❖ The Yakima County Clerk's Office sells booklets which have been prepared specifically for the Yakima County Superior Court. These booklets are prepared by the Court Facilitator and are available in Room #323, 128 North 2nd Street, Yakima Washington WA 98901 (this is on the 3rd floor of the County Courthouse).

Forms / Books

- ❖ The Administrative Office of the Court in Olympia Washington, by calling the forms line at: (360) 705-5328
- ❖ The Internet at <http://www.courts.wa.gov/forms>;
- ❖ Northwest Justice Project's Web site: <http://www.nwjustice.org>.

Please review the General Rules to make sure your forms are the proper size and format.

General Rules (GR's)

It's a good idea to either make a spare copy of each form you will need and use one as a rough draft. Your finished forms must be completed neatly. You may type them, or print them using **black ink**. **Only documents with original, ink signatures should be filed** in the clerk's office or given to the judge in the courtroom.

You should make photocopies of all the completed documents you will file with the court so you have copies for yourself and for serving on the other party. When you file the original documents at the clerk's office, be sure to stamp the **copies** you've made with the clerk's "Filed" stamp. Stamping your copies in this way is called "conforming copies" and can help prove that you actually filed the documents. **Do NOT stamp any of your originals that you file with the Clerk.**

Keep an organized file of all court papers, letters, other documents, and notes of conversations with others concerning your case. It is especially important to keep proof that documents were served on the other party. You may need to work on your case at home when the courthouse may not be open. Your personal file may also be important if a judge in your case wants to see a document that is not in your court file.

A Note About The Parenting Seminars

The county in which you file your petition may require divorcing parents to attend a seminar about the impact of divorce on the children and how parents can take care of the children's emotional needs during the divorce. The mandatory seminar must be completed within a specific time period. To find out your county's parenting seminar requirements, check your county's local court rules on the Internet at: www.courts.wa.gov/ or on the link below. You may also ask the county clerk about the parenting seminar when you file your petition or response or check the link below.

Parenting Class

Local Rules (LGR's)

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Hearings in Support Modification cases

The party responding to the Petition (the Respondent) has a limited time in which to file a

response with the clerk of the superior court. The Response must be filed within 20 days after being served the Summons and Petition (or 60 days if the responding parent is served out of state; or 60 days if the responding parent is served by publication pursuant to an order allowing service by publication; or 90 days if the responding parent is served by mail pursuant to an order allowing service by mail). The petitioner or petitioner's attorney must also be served a copy of the Response within the same time period. Declarations in response the other parent's statements should be filed with the Response. Failure to file the answer on time may result in the court entering a default judgment, which gives the petitioner parent everything requested in the Petition.

Once the responding parent has filed and served a Response, either party may set a hearing date for a preliminary hearing. The hearing is scheduled by filling out and filing with the Clerk, a form entitled "Note For Motion." These matters are set for specific days and times, so please check the Court Schedule and remember to 'confirm' your matter. If you need assistance with this, please contact the Court Facilitator or click [HERE](#).

At the hearing(s), the court decides whether to modify the previously entered Order Of Support.

As a reminder, issues regarding the residential provisions or nonresidential provisions of any Custody Decree/Parenting Plan/Residential Schedule should be addressed in a separate Petition, and will not be addressed in this manner. See information under "Child Custody" to modify such items.

Should You Hire a Lawyer?

You are not required to have a lawyer to dissolve your marriage. The decision to proceed with or without a lawyer is up to you. Many people find that the paperwork required is complex. If you decide not to use a lawyer, your spouse may still use a lawyer and you may be at a disadvantage if you proceed without a lawyer. If you do not have a lawyer you will be expected to know all the laws and court rules which apply to your case as if you were a lawyer.

The court may make decisions that could have a significant impact on you, such as requiring you to pay money to your spouse, garnishing your wages, or limiting when you can see your child. **If you are the victim of domestic violence, there may be additional programs through the bar association to help you obtain free legal advice, or you may call the statewide Domestic Violence Hotline, (800) 562-6025.**

Court Facilitator:

Yakima County has a "Court Facilitator" that can offer limited assistance in completing the necessary paperwork but cannot provide legal advice. The Yakima County Court Facilitator conducts an "Orientation To The Courts" class which many people find helpful. For more information please contact the [Court Facilitator directly at \(509\) 574-2695](#) or click on the below link.

JUDGES, COURT COMMISSIONERS AND CLERKS MAY NOT GIVE YOU LEGAL ADVICE OR ASSIST YOU WITH YOUR PAPERWORK OR FORMS.

[Court Facilitator](#)

If you have questions or need assistance you should contact a lawyer or use one of the free or

low cost services mentioned below. For help in finding a lawyer contact the local bar association for your county. Free legal advice may be available to you through charitable legal agencies or from other legal services in your county. A current list may be obtained in the "Helpful Places" link below:

[Helpful Places](#)

Where do you pay your Child Support? If support was ordered to be paid through the **Washington State Support Registry** (W.S.S.R.), you may pay either:

**W.S.S.R.
PO Box 45868
Olympia WA 98904-5868**

**WA Division of Child Support
1002 North 16th Ave. 2nd Floor
Yakima WA 98901**

(509) 249-6000

Payments here must be **for the exact amount only**, as this office is not able to provide cash back.

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