

1 FILED  
2 2019 DEC 03  
3 KING COUNTY  
4 SUPERIOR COURT CLERK

5 CASE #: 18-3-05993-7 SEA

6  
7 **IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY**

8 IN RE:

NO. 18-3-05993-7 SEA

9 SONYA K. DELANCE,

Petitioner,

**MOTION FOR TEMPORARY  
FAMILY LAW ORDER**

10 and

**[x] AND RESTRAINING ORDER  
(MTTMO)**

11 MICHAEL A. DELANCE,

Respondent.

12  
13 **Motion for Temporary Family Law Order**

14 [ X ] and Restraining Order

15 *Use this form only for cases about changing a parenting/custody order when it is not an emergency*  
16 *and you have notified the other party. For other cases, use FL Divorce 223, FL Parentage 323, or*  
17 *FL Non-Parent 423, depending on the type of case.*

18 **To both parties:**

19 **Deadline!** Your papers must be filed and served by the deadline in your county's Local Court  
20 Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at  
21 [www.courts.wa.gov](http://www.courts.wa.gov).

22 If you want the court to consider your side, you **must**:

- 23 • File your original documents with the Superior Court Clerk; AND
- 24 • Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court  
25 Rules); AND
- 26 • Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing.

**To the person filing this motion:**

You must schedule a hearing on this motion. You may use the *Notice of Hearing* (form FL All  
Family 185) unless your county's Local Court Rules require a different form. Contact the court for  
scheduling information.

Motion for Temporary Family Law Order

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RCW 26.09.260

Mandatory Form (07/2019)

FL Modify 623

**BERESFORD ♦ BOOTH PLLC**

145 THIRD AVENUE SOUTH, SUITE 200

EDMONDS, WASHINGTON 98020

(425) 776-4100 · (425) 776-1700 fax

ORIGINAL

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**To the person receiving this motion:**

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side, and propose your own *Parenting Plan*, *Residential Schedule*, or *Child Support Worksheets*.

1. My name is: Sonya DeLance . I ask the court for temporary orders approving the requests listed below.

**2. Children**

[X] I want these children under 18 listed below to be included in the court's orders:

Child's name	Age
1. Presley DeLance	10
2. Ella DeLance	8

**3. Active duty military**

*(The federal Servicemembers Civil Relief Act covers:*

- *Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;*
- *National Guard or Reserve members under a call to active service for more than 30 days in a row; and*
- *commissioned corps of the Public Health Service and NOAA.*

*The state Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)*

[X] None of the other parties are covered by the state or federal Service Members' Civil Relief Acts.

**4. Care and safety of children (check all that apply)**

[ X ] Approve the *Parenting Plan* (form FL All Family 140) or *Residential Schedule* (form FL Parentage 304 or FL Non-Parent 405) proposed by (check one): [ x ] me

[X] Appoint a person to investigate and report to the court about what is in the children's best interest, and order who will pay this person's fees. This person should be a/n (check one): [ X ] guardian ad Litem (GAL) or Evaluator/Investigator as chosen by the court.

**5. Provide support**

[ X ] No request.

1 **6. Pay fees and costs**

2 [ ] Order (name): MICHAEL DELANCE to:

3 [X ] Pay my lawyer's fees for this case. Amount: \$ 10,000.00  
4 Make payments to (name):

5 [ X ] Pay other professional fees and costs for this case. Amount: \$ TBD  
6 to (name): TBD  
7 for (purpose): FOR GAL

7 **7. Restraining Order**

8 [ X ] I ask the Court for a *Restraining Order* (form FL All Family 150) that orders (name/s):  
9 MICHAEL DELANCE to obey the restraints and orders checked below.  
(Check all that apply; also check the "and Restraining Order" box in the form titles on page 1):

10 [X] **Do not disturb** – Do not disturb my peace or the peace of any child listed in 2.

11 [X ] **Stay away** – Do not go onto the grounds of or enter my home, workplace or school,  
12 and the daycare or school of any child listed in 2.

13 [ X ] Also, do not knowingly go or stay within 300 feet of my home, workplace or  
14 school, or the daycare or school of any child listed in 2.

14 [X] **Do not hurt or threaten**

- 15 • Do not assault, harass, stalk, or molest me or any child listed in 2; and
- 16 • Do not use, try to use, or threaten to use physical force against me or the children that  
17 would reasonably be expected to cause bodily injury.

17 **Warning!** *If the court makes this order and the parties are intimate partners, the  
18 court must consider if weapons restrictions are required by state law; federal law  
19 may also prohibit the Restrained Person from possessing firearms or ammunition.*

19 [ X ] Current or former spouses or domestic partners, or parents of a child-in-  
20 common.

20 **8. Other temporary orders**

21 [ X ] (Specify):

22 ☒ I ask that the Court Order Michael to take a UA with ETG test and a 10-panel  
23 hair follicle or toenail test within 4 hours of notice of this order. Our parenting  
24 coordinator declared "I do not feel comfortable with the children in his care  
25 until the cause of his disturbing behavior is assessed." See **Declaration of  
Joanna McGuire - Paragraph 8**. These tests are the only way to determine  
whether his behavior is fueled by substance abuse issues.

1  I ask that Michael DeLance be prohibited from communicating with me and  
2 with our children via e-mail, text message, phone call, our family wizard, or by  
3 any other method of written or oral communication whether directly or  
indirectly.


4 **Reasons for my request**

5 **9. Why are you asking the court for the orders you checked above? (Explain):**

- 6 • If you need additional space use the *Declaration* form FL All Family 135.
- 7 • If you are asking for a parenting plan or residential schedule, also fill out the  
8 *Information for Temporary Parenting Plan*, form FL All Family 139, and a  
proposed *Parenting Plan*, form FL All Family 140, or *Residential Schedule*,  
form FL Parentage 304 or FL Non-Parent 405.
- 9 • If you are asking for child support, also fill out the *Child Support Worksheets*  
10 and *Financial Declaration*, form FL All Family 131, and file the required  
11 financial records. If you or anyone else has ever received public assistance for  
any child in this case, also fill out the *Public Assistance Declaration*, form FL  
All Family 132.
- 12 • If you are asking to prohibit weapons or order surrender, give your reasons at the end of this  
section.
- 13 • If you are asking to change an earlier temporary order, give the date of the  
earlier order and explain how circumstances have changed since then.

14 *See Declaration of Sonya DeLance, dated December 2, 2019; See Declaration of Joanna*  
15 *McGuire, M.A., dated December 2, 2019; See Declaration of Jason Lander, dated December 2,*  
16 *2019.*

17 **Person making this motion or his/her lawyer fills out below:**

18 

19 *Dimitra S. Scott, WSBA No. 34634*  
20 *Attorney for Petitioner*

12/3/2019  
Date

21 I agree to accept legal papers for this case at:

22 BERESFORD BOOTH PLLC  
23 145 Third Avenue South  
Edmonds, WA 98020

24 Email: dimitras@beresfordlaw.com

25  
26 Motion for Temporary Family Law Order

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