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3 KING COUNTY
4 SUPERIOR COURT CLERK
5 E-FILED
6 CASE #: 18-3-05993-7 SEA

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

8 IN RE THE MARRIAGE OF:

NO. 18-3-05993-7 SEA

9 SONYA K. DELANCE,

Petitioner,

**MOTION FOR CONTEMPT
HEARING
(MTSC)**

10 and

11 MICHAEL A. DELANCE,

Respondent.

12
13 **Motion for Contempt Hearing**

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15 **To both parties:**

16 **Deadline!** Your papers must be filed and served by the deadline in your county's Local Court Rules, or
17 by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

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

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

23 The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

24 Bring proposed orders to the hearing.

25 **To the person filing this motion:**

26 To schedule a hearing on this motion, you must ask the court to sign the Order to Go to Court for Contempt Hearing (Order to Show Cause) (FL All Family 166). This Order may be signed "ex parte" (without the other party there). Contact the Superior Court Clerk's office for the procedure in your county. You must have this Motion and the Order to Go to Court personally served (by someone else) on the other party.

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.

I declare:

1. I am the Petitioner in this case.

2. The other party, MICHAEL DELANCE, did not obey the orders checked below that were signed by the Court on June 26, 2019 (Decree of Dissolution and Order of Child Support), on November 6, 2020 (Contempt Review Hearing Order), on February 23, 2021 (the Final Parenting Plan); and on February 26, 2021 (Order on Reinstatement of Children’s Health Insurance).

The child support order and emergency order dated February 26, 2021 including (check all that apply):

provide health insurance for the children and pay health care costs not covered by insurance.

pay for the children’s expenses, such as educational and extracurricular expenses.

Describe how the order was not obeyed, including dates and amounts:

Please see attached Declaration of Sonya K. DeLance.

The spousal support (maintenance/alimony) order to pay (amount) \$120,000 on April 15, 2021.

Describe how the order was not obeyed, including dates and amounts:

Please see attached Declaration of Sonya K. DeLance.

The parenting plan, residential schedule or custody order.

Please see attached Declaration of Sonya K. DeLance.

Other order (specify): Order on Contempt Review Hearing.

Describe how the order was not obeyed including dates, times, and amounts, if any:

Please see attached Declaration of Sonya K. DeLance.

3. Request – I ask the court to:

- Order the other party to go to court to show why the court should not approve the judgment and orders I’ve requested,
- Find the other party in contempt, and
- Approve the requests checked below.

4. Money judgment requested

I ask the court to approve a judgment ordering the other party to pay (check all that apply):

	Amount	Interest	From (date)	To (date)

<input checked="" type="checkbox"/> Past due spousal support	\$120,000	\$1,656.99	04/15/2021	05/27/2021
<input checked="" type="checkbox"/> Past due children's expenses	\$662.16		11/2020	04/21/2021
<input checked="" type="checkbox"/> Past due attorney's fee judgment (<i>Emergency Health Care Order</i>)	\$1,386.50	\$41.03	02/26/2021	05/27/2021
<input checked="" type="checkbox"/> Past due attorney's fee judgment (<i>Order on Contempt Review Hearing</i>)	\$472.51	\$17.24	02/05/2021	05/27/2021
<input checked="" type="checkbox"/> Other (<i>specify</i>): Attorney's fees and cost	\$2,500	\$0		
<input checked="" type="checkbox"/> Civil Penalty	\$250			

5. **Fines and penalties (remedial sanctions) requested**

- Approve other reasonable orders, including ordering the other party to:
- Pay a fine – civil penalty (required for violations of parenting time orders),
 - Pay a fine for each day the court's orders are not followed,
 - Meet certain conditions to stop being in contempt (purge the contempt),
 - Pay my lawyer fees and costs, if any,
 - Any other relief allowed by law (Chapter 7.21 RCW, Chapter 26.09 RCW, Chapter 26.10 RCW, Chapter 26.26 RCW, and RCW 26.18.040).

6. **Other orders requested (if any):**

(1) Michael DeLance shall obtain a State Certified DV Assessment consistent with the GAL's recommendation. Michael DeLance's visitation be suspended until (a) a copy of the DVIT treatment recommendations are provided to the Mother and the GAL; (b) Michael must purge all contempt; (c) Michael must be fully compliant with the Parenting Plan, including having a communication coordinator appointed. Once those conditions are met, visitation shall continue professionally supervised and shall be consistent with the DVIT treatment recommendations and recommendations from the GAL.

(2) All health care costs incurred for the children from March 1, 2021 to the date of reinstatement of their insurance shall be paid in full by Michael DeLance and shall not count against the \$10,000 limit as described in Section 19 of the Final Child Support Order.

(3) Michael DeLance shall provide proof of the children's insurance through the communication coordinator on the 1st of every month.

(4) If Michael DeLance cancels or causes the children's health insurance to lapse again, Sonya DeLance may file another Contempt Motion and request that he be arrested in addition to having to reinstate the insurance and pay her attorney's fees and costs for having to do so.

(5) Michael DeLance shall provide proof that the parties 2019 Tax Return has been filed.

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(6) Michael DeLance shall provide proof that he has obtained the required life insurance policy.

(7) Michael DeLance shall pay the Land Rover debt in full within thirty days of this Order.

(8) Michael DeLance shall provide proof of the post-secondary accounts as required per the Decree within 14 days of entry of this order.

(9) If Michael has not paid the \$39,588 attorney's fee judgment order in our Final Order and Findings by April 24, 2021, I ask that the Court permit me to enter an Ex Parte Judgment without needing to file a separate motion.

Person making this motion fills out below:

I agree to accept legal papers for this case at : my lawyer's address, listed below.

Lawyer (if any) fills out below:

4/21/2021

Dimitra S. Scott, WSBA No. 34634
Anne B. Bennette, WSBA No. 50240
Attorneys for Petitioner

Date

Beresford Booth, PLLC
145 Third Avenue S.
Edmonds, WA 98020

Email: dimitras@beresfordlaw.com; anneb@beresfordlaw.com; trishar@beresfordlaw.com