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2021 JUL 16 09:00 AM  
KING COUNTY  
SUPERIOR COURT CLERK  
E-FILED  
CASE #: 18-3-05993-7 SEA

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

IN RE THE MARRIAGE OF:

**NO. 18-05993-7 SEA**

SONYA K. DELANCE,

Petitioner,

and

MICHAEL A. DELANCE,

Respondent.

**PETITIONER'S MOTION FOR AN  
ORDER ENFORCING  
PARENTING PLAN/MOTION TO  
ADOPT GAL  
RECOMMENDATIONS**

**I. RELIEF REQUESTED**

The Petitioner, Sonya K. DeLance, by and through her attorney of record, and moves the Court for an Order requiring the Respondent, Michael A. DeLance ("Michael"), appear and show cause why the Parenting Plan entered herein on February 23, 2021 (the "Parenting Plan") should not be enforced as follows:

- 1.1 To adopt the GAL Recommendations to order Michael DeLance to enroll in a state-certified domestic violence perpetrator treatment program.

**II. STATEMENT OF FACTS AND PROCEDURAL HISTORY**

Following a three-day parenting plan modification trial, a Final Parenting Plan, a Final Restraining Order, and Final Orders and Findings were entered on February 23, 2021. Following entry of the final orders in this case, the GAL remained appointed for the purpose of making additional recommendations based on the Respondent's ability (or inability) to comply with the terms of the final orders. Following entry of that plan, the Respondent

1 continued to violate the terms of the Final Orders and was ordered to reinstate the children's  
2 health insurance on February 26, 2021 and held in contempt on June 1, 2021 for violations of  
3 several orders of the court, including bad faith violations of the Final Parenting Plan.

4 The Final Order and Findings enter on February 23, 2021 found that:

5 ***“Mr. DeLance’s lack of insight into his conduct is alarming and***  
6 ***detrimental to the children’s well-being...Mr. DeLance has demonstrated***  
7 ***willful disobedience of the court orders...He has ignored court orders and***  
8 ***the parenting plan.”***

9 The Final Parenting Plan entered on February 23, 2021 provides:

10 ***“The GAL shall provide input as to Mr. DeLance’s compliance with the***  
11 ***provisions of this plan and the GAL may make additional***  
12 ***recommendations.”***

13 On February 1, 2021, prior to the entry of the final orders in this case, the  
14 GAL filed an amended recommendation for the Respondent to enroll in a state-  
15 certified domestic violence perpetrator treatment program to determine the level of  
16 offender, with the Petitioner as a collateral contact and with GAL reports being  
17 provided to the DV evaluator.

18 Unbeknownst to the Petitioner until recently, on the day that those final  
19 orders were entered, the Respondent was arrested for battery against his girlfriend.  
20 The police report details that the Respondent was angered by the results from the  
21 trial, which led to an argument with his girlfriend. The arrest report details that the  
22 Respondent threw many items at his girlfriend, one of which made contact with her  
23 face. He also threw a painting to the ground, damaging its frame and then began  
24 stabbing it with a knife.

25 Mr. DeLance was arrested cited for a DV misdemeanor and is set to be  
26 arraigned in August.

1 The Contempt Order entered on June 1, 2021, found that Mr. DeLance  
2 continued to violate the Parenting Plan in bad faith, and held him in contempt for  
3 various other violations.  
4

5 **III. ISSUES PRESENTED.**

- 6 3.1 Whether the Court should enforce the Parenting Plan by requiring Michael  
7 DeLance to enroll in a state-certified domestic violence perpetrator treatment  
8 program at to determine the level of offender, with the Petitioner as a  
9 collateral contact and with GAL reports being provided to the DV evaluator.
- 10 3.2 Whether the Court should award attorney's fees and costs to the Petitioner for  
11 this motion.

12 **IV. EVIDENCE RELIED UPON.**

13 This Motion is based upon the following:

- 14 (1) The Declaration of Sonya DeLance dated July 13, 2021;  
15 (2) The Final Parenting Plan entered on February 23, 2021;  
16 (3) The GAL Report filed on February 1, 2021;  
17 (4) The Final Order and Findings entered on February 23, 2021;  
18 (5) The Order of Contempt entered on June 1, 2021; and,  
19 (6) Upon the records and pleadings on file herein.

20 **IV. ARGUMENT AND AUTHORITY.**

21 **A. ENFORCEMENT OF PARENTING PLAN**

22 The Parenting Plan clearly allows for the GAL to make additional recommendations  
23 based on Michael DeLance's non-compliance with the terms of the Final Parenting Plan.  
24 Following the contempt hearing, the Petitioner requested that Michael DeLance enroll in a  
25 state-certified domestic violence perpetrator treatment program consistent with the GAL's  
26 recommendations. Mr.DeLance has refused to do so.

1 Since 2018, the Petitioner has filed several different requests that the Court address the  
2 Respondent's violent behavior to protect her and her children. The Petitioner suffered abuse at  
3 the hands of the Respondent through years of marriage, and all of her pleas for help were  
4 denied. A restraining order was not entered until this modification action was filed; and, had  
5 the Respondent not video-taped himself instructing the children to disparage the Petitioner and  
6 directing them to remain loyal to him, her request for protection may have yet again been  
7 denied.

8 Perhaps if the Respondent had received the treatment he clearly needs, another woman  
9 would not have been subject to his violent outbursts and dangerous behavior. In the most recent  
10 instance, he was actually arrested. However, while the Respondent may spend some time in  
11 jail for this most recent assault, **that will do nothing to address the underlying issues that**  
12 **are causing him to behave this way.** The Petitioner implores the Court to finally order the  
13 Respondent to enroll in a state-certified domestic violence perpetrator treatment program so  
14 that the underlying cause of this behavior and finally be addressed and treated.

15 The GAL remains appointed to make recommendations in the best interest of the  
16 children. Following entry of the final orders, the Respondent was arrested for a DV offense.  
17 The Petitioner has asked that the Respondent voluntary enroll in a state-certified domestic  
18 violence perpetrator treatment program, but he has refused to do so. Accordingly, the  
19 Petitioner is asking that the Respondent's residential time be suspended until he provides  
20 proof he has enrolled in a state-certified domestic violence perpetrator treatment program  
21 and asking that she be awarded fees and costs for having to file this motion.

## 22 V. CONCLUSION.

23 Based on the foregoing, the undersigned respectfully requests the Court enter an Order  
24 granting the relief requested.

1 DATED this 15 day of July, 2021.

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BERESFORD BOOTH PLLC



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